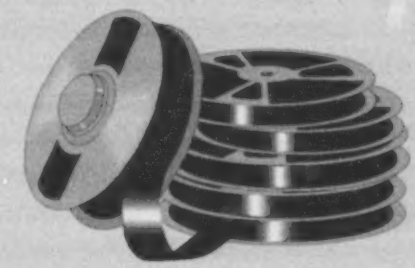
Ontario

Ontario Film Review Board

Annual Report

2013-2014



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Ontario Film Review Board

February 4, 2015

The Honourable David Orazietti
Minister of Government and Consumer Services
6th Floor, Mowat Block
900 Bay Street
Toronto. Ontario
M7A 1L2

Dear Minister Orazietti:

I am pleased to present the Annual Report of the Ontario Film Review Board (OFRB) for the fiscal year ending March 31, 2014.

The report outlines the duties and responsibilities of the Ontario Film Review Board under the mandate of the Film Classification Act, 2005 and the operating results for the fiscal year.

Yours sincerely,

Donald Duprey
Interim Chair, (July15, 2013 to March 31, 2014)

Ontario Film Review Board

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Report from the Chair

The Ontario Film Review Board (OFRB) receives its mandate from the Ontario government through the Film Classification Act, 2005 (FCA) and operates as an arm's-length agency reporting to the Ministry of Consumer Services.

The mission of the OFRB is to classify films and thereby provide the public with sufficient information to make informed viewing choices for themselves and for their children.

In support of our mission, for the fiscal year 2013-2014 our daily activities have remained within expectations and we continue to meet our expected turnaround times.

Daily Activities

In 2013-2014, the OFRB classified 4,940 films, screening a total of 380,862 minutes of film. In addition, we classified another 1,908 films by way of documentation.

As of March 31, 2014, the OFRB consists of 15 members representing a cross-section of Ontario's diverse population. The number of members fluctuates over the year as a result of many factors, including withdrawal of membership, expiration of term and recruitment. A 20-member board is optimal for consistency in our classification decisions. We must continue to maintain a balance of male and female members, and to ensure that our members provide representation from the entire province.

At the Chair's discretion, three-member panels for the classification of digital and films continue. Senior members work as single-person panels for adult film approval. One and two-member panels screen mainstream DVDs and videos. There were 468 screening panels of which 247 were one-person panels. All members continue to be trained in the classification guidelines and administrative work that is required to complete summary reports.

The Policy Committee consists of three to five board members who are elected by the members of the Board of Directors for

three-year terms. The Policy Committee provides operational policy advice to the board and the Chair, and assists the Chair in developing written policies and procedures. It is also the channel through which board members can submit ideas, suggestions and recommendations for operational improvements. In 2013-2014, the Policy Committee met on May 17, 2013, and October 25, 2013.

We held two board meetings on June 14, 2013, and November 29, 2013. At the June board meeting, Jessica Martin from York University, presented her findings from her Masters' thesis, "The History of Pornography". Given the considerable volume of pornographic video material that is reviewed by the OFRB, the topic of Ms. Martin's thesis was deemed useful. Her presentation was well-received and contributed to an interesting discussion.

Public Information Screenings continue to be very popular with the community and university film schools. We had 12 public screenings with approximately 231 participants.

We have continued the public information screening survey process to measure the effectiveness of this program. Please see page 11 for the results.

The conversion of our 35mm projection equipment to digital projection technology was completed April 17, 2013. Our last 35mm projection occurred early in June 2013. As of the end of 2013, theatrical film distributors ceased to provide 35mm prints to any theatres in Ontario, thereby reducing some costs for film distributors of film intended for theatrical release.

ShowCanada is an annual industry trade-show organized by the Canadian Motion Picture Distributors Association. Often members of provincial film classification boards attend, holding their own meetings to discuss common concerns and initiatives, and to take advantage of the larger conference to receive presentations from industry representatives. This year's meeting was held in Newfoundland. Provincial boards did not attend. The 2014 ShowCanada is scheduled to take place in Whister, B.C., in June.

In 2013-2014, the government continued work to establish a Delegated Administrative Authority which would have the responsibility for the day-to-day administration of the Film

Classification Act, 2005, including supporting the classification functions of the OFRB. A not-for-profit corporation, the Ontario Film Authority, has been incorporated under the Corporations Act to receive the delegation of the Film Classification Act.

Objectives of the Chair

My major objective as Chair of the OFRB is to provide information to the consumers of Ontario. It is important that we supply individuals with sufficient information to make informed entertainment choices for themselves and, more importantly, for their children.

Our website was previously expanded to provide not only film classifications and content advisories, but also all detailed elements observed by the panel during the classification process. "It's Your Choice", our brochure explaining Film and Video Games classifications, is also available on our web site.

Looking to the future, we will continue to further our excellent working relationship with the film industry and the other provincial boards, strive to improve our website, and go forward with new ideas and initiatives including social media to educate and serve our clients, the residents of Ontario.

I am looking forward to the future with a commitment to undertake new challenges, promote education, and inspire innovation.

The Board and its Operations

Our Mission

The mission of the OFRB is to classify films and thereby provide the public with sufficient information to make informed viewing choices for themselves and for their children.

The OFRB receives its mandate from the Ontario government through the Film Classification Act, 2005 (FCA) and operates as an arm's-length agency reporting to the Ministry of Consumer Services.

Subject to a few specific exceptions, if a film (feature/trailer), including videos and DVDs, is to be distributed or exhibited in Ontario, it must first be classified by the OFRB.

Under the authority of the FCA, the OFRB reviews and classifies mainstream films. It also reviews and approves adult sex films for public exhibition and distribution in Ontario. Ontario's film classifications, General, Parental Guidance, 14A, 18A and Restricted, are set out in Regulation 452/05 under the FCA. Most of the details regarding a film's classification are determined by the application of the OFRB's policies as applied by members reviewing the film (see "How We Classify").

Who We Are

The OFRB is a community board, and its members represent a cross-section of the many diverse communities across Ontario. The OFRB's members vary in age, gender, vocation, race, cultural background and sexual orientation.

On the recommendation of the Minister of Consumer Services and the provincial Cabinet, members are appointed for an initial two-year term by the Lieutenant-Governor-in-Council through orders-in-council. Members may be reappointed for a further three-year term, followed by a five-year term for a maximum of 10 years on the board.

Members work 7.25 hours a day, usually four to five times per month, and are paid on a per diem basis.

Types of Panels

There are three types of screening panels, with a senior member providing oversight to each. Each type of panel serves a different purpose as follows:

Normal: This panel consists of one to three members. Although the members endeavour to agree on the classification, occasionally one may disagree with the classification, and that member may request a cumulative panel.

Cumulative: Two to four other board members screen the film. The results of both the Normal and Cumulative Panels are tallied, and the majority rules. Since a member initiates this process, there is no cost to the submitter. This type of panel is considered part of our in-house quality assurance program.

Appeal: This panel is requested and paid for by a submitter who is dissatisfied with the OFRB's initial decision. It consists of three to five members who have not seen the film in question. This panel's decision as to classification or approval is final, subject to the right of the Director to require reconsideration.

By the time a film has gone through three panels, as many as 12 different board members have viewed the film.

Reconsideration:

The Director, under the Film Classification Act, 2005, may submit a film, including a video game, to the board, or require a person who distributes, offers to distribute, exhibits or offers to exhibit a film or video game, to submit it to the board for the purpose of reconsidering the classification or approval decision, or to determine if a film is exempt. In such cases, there is no additional cost to the submitter and the panel consists of a minimum of three members who have not yet seen the film in question. This panel's decision is final.

How We Classify

The OFRB members take into account the general character and integrity of each film in its entirety, and use the FCA and sets of

guidelines to determine the film's classification. These guidelines, which are continually reviewed and updated, allow the board to be objective yet flexible. In this way, the board is not only able to maintain the integrity of community standards, but also to appreciate and accommodate the film's artistic merit, or social and documentary significance.

While viewing the film, each panel member makes notes on the elements that contribute to the classification. These elements include coarse language, nudity, violence, sexual activity, horror and psychological impact. Following the screening, panel members use these notes in their discussion to determine their ultimate decision as to the classification of the film.

Each element is weighed on the basis of content and treatment, and the cumulative effect of those factors on the audience. Members consider style, tone, duration, frequency and the amount of visual and/or verbal detail. How the elements relate to the narrative also contributes to the panel's decision.

In addition to the classification, the OFRB may choose to include Content Advisories, such as *Nudity*, *Coarse Language* or *Brutal Violence*. These warnings, along with the classification, must appear on all exhibition-related advertising to help the viewer make informed choices. In March 2012, the list of observations and possible Content Advisories was expanded to include *Tobacco Use*, which is used for films rated G, and PG where tobacco use is shown, as per the board resolution. The information is contained in the Summary Report for each movie, which is the report compiled by the OFRB after screening a movie. The report outlines all the elements identified in the movie. The information is sent to the relevant distributor and the information appears on the OFRB website.

Why We Classify

A film classification board helps consumers make informed choices about the films they see. Throughout the developed world, movie viewers have asked for industry-independent information about age-suitability (the classification) and content (advisories such as *Coarse Language, Violence, Nudity*, etc.) of films. This information assists them in deciding whether a particular movie is appropriate for their children, or for themselves.

Most developed countries, including the United States, Great Britain, Australia, New Zealand, South Africa, France, Germany, Spain, Portugal, Greece, Norway, Denmark and Sweden have film classification boards.

The OFRB's focus is classification. The board is a valued source of information about movies and videos that help viewers make the right entertainment decisions for themselves and for their children.

Our Community

Community standards are at the forefront whenever the OFRB revises its guidelines. The board uses many avenues to gauge the needs of the community it serves.

The OFRB is structured specifically to address community standards issues. OFRB members are people from all over the Province of Ontario who screen films on a part-time basis. Members represent the diverse population of Ontario - varying ages, with diverse work histories, races, cultural backgrounds and sexual orientations. We strive to have an equal male-female split.

The full board usually meets to discuss any changes in policy, procedure or guidelines. All changes are discussed, debated and voted on by the full board before any changes are made.

The board tests its perception of community standards in twice-monthly screenings where public groups view a movie with the official panel, and compare their opinions about how the movie should be classified against the panel's official decision.

The board also hears directly from the media, from public interest groups and from members of the general public via letter, telephone, fax, e-mail and its website.

The board's responsibility is to understand and reflect the community standards of the people of Ontario.

Refusal to Approve

The OFRB's authority to refuse approval of a film is limited to adult sex films (film that has as its main object the depiction of explicit sexual activity.) The OFRB's authority to refuse approval is based on the standards for obscenity under the Criminal Code of Canada. The board regularly reviews its Adult Sex Guidelines to ensure as much consistency as possible within its mandate as a provincial regulator, with the rules governing the Canadian Border

Services and the Criminal Code of Canada. The OFRB does not play a role in determining obscenity or child pornography. This is a function of the police and is a federal responsibility.

Financial & Operational Information 2013-2014

Financial Information - 2013/2014

Revenue:	Film and Video Classification Fees *	**$ 2,174,554.28**
	Total Revenue	**$ 2,174,544.28**
Expenditures 2013-2014:	Per Diems	**$ 460,916.61**
	Direct Operating Expenses	**$ 68,528.33**
	Administrative & Overhead Expenses	**$ 542,858.80**
	Total Expenditures **	**$1,072,303.74**
Expenditures 2012-2013:	Per Diems	**$ 460,916.61**
	Direct Operating Expenses	**$ 70,497**
	Administrative & Overhead Expenses	**$ 541,401**
	Total Expenditures **	**$ 1,051,594**

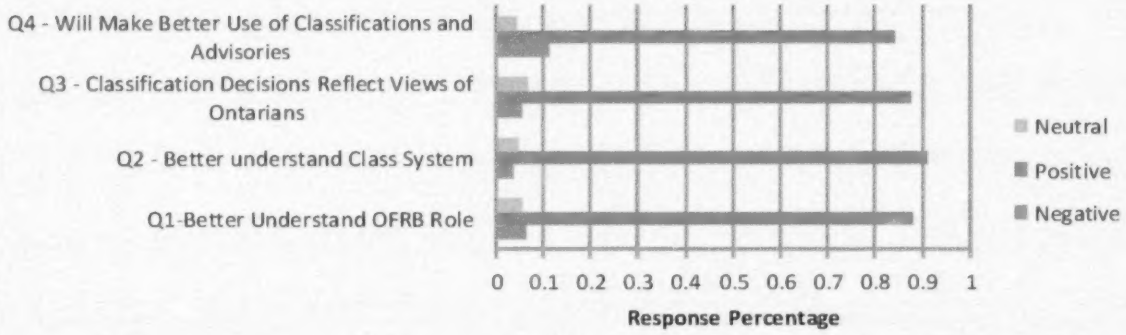
* For classification of films including videos and DVDs, distributors pay $4.20 per minute, Mainstream films in languages other than English and French pay a flat fee of $78.75 per film, and there is no fee for mainstream films wholly produced in Canada. There are also fees for classifying trailers, and for some films classified by documentation.

** Note: This excludes indirect costs related to activities such as inspection, enforcement, legal, policy, etc.

Classification Breakdown
Mainstream Films Screened (all languages)

	2013/2014	*2012/2013*	*2011/2012*	*2010/2011*	*2009/2010*
General	9%	14%	14%	13%	14%
Parental Guidance	36%	33%	31%	32%	32%
14A	45%	42%	43%	40%	41%
18A	6%	9%	8%	11%	11%
Restricted	4%	2%	4%	4%	2%

Public Information Screenings - Survey Results - 2013-2014


Q4 - Will Make Better Use of Classifications and Advisories
Q3 - Classification Decisions Reflect Views of Ontarians
Q2 - Better understand Class System
Q1-Better Understand OFRB Role
Neutral
Positive
Negative
0 0.1 0.2 0.3 0.4 0.5 0.6 0.7 0.8 0.9 1
Response Percentage

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Financial and Operational Information

	2013/2014	2012/2013
Financial Information		
• Revenue*	$2,174,554	$2,263,090
• Expenditures**	$1,072,304	$1,051,594
Operational Information		
Films Screened		
• Mainstream (English and French)	732	835
• Mainstream (other languages)	184	187
• Adult Sex Films	3,461	3,029
• Mainstream Trailers	563	481
Total Films Screened	**4,940**	**4,532**
Minutes Screened		
• Mainstream (English and French)	77,766	83,666
• Mainstream (other languages)	23,358	22,780
• Adult Sex Films	278,607	266,758
• Mainstream Trailers	1,131	974
Total Films Screened	**380,862**	**374,178**
Classified without screening		
• Mainstream Films (Classified by documentation)	1,908	1,951
Appeals/ Non-Approval/ Reconsideration Decisions		
• Appeals – decision changed	5	10
• Appeals – decision upheld	7	3
• Non-Approval decisions	46	32
• Reconsideration – decision changed	0	2
• Reconsideration – decision upheld	0	0
Screening Panels		
• Number of Panels	468	501
• Average Panel Minutes	814	747
Turnaround time		
• 35mm film (standard <=1-2 days)	1.3	1.3
• Video/ DVD (Mainstream) (standard <=10 days)	2.0	3.6
• Video/ DVD (Adult) (standard <=10 days)	4.7	4.9
Public Screenings		
• Number of screenings	12	16
• Number of participants	231	297

* For classification of films including videos and DVDs, distributors pay $4.20 per minute. Mainstream films in languages other than English and French pay a flat fee of $78.75 per film, and there is no fee for mainstream films wholly produced in Canada. There are also fees for classifying trailers, and for some films classified by documentation.

** This excludes indirect costs related to activities such as inspection, enforcement, legal, policy, etc.

Chair (April 1, 2012, to July 14, 2013)

Janet Robinson

Janet Robinson is a Registered Nurse, who worked for 24 years in a demanding obstetrical/gynaecological practice. She established a consulting company that provided home visits to new parents.

Janet worked several years as a part-time contract Occupational Health Nurse with the Toronto Star, Ontario Power Generation and the Royal York Hotel.

Janet is also active in her community where she lives with her husband. They have two grown children and three grandchildren. When her schedule permits, she loves to pursue her passion for reading, and golf with friends and family.

Interim Chair (July 15, 2013, to March 31, 2014)

Donald Duprey

In 1965, Donald Duprey, of Toronto, joined the National Film Board and began his career in the media production industry. After six years, he went on to take positions as General Manager, International Cinemedia Centre (1971-1977), President, MLV Productions (1977-1982), Managing Director, French Program Services, TVOntario (1982-1988) and Managing Director, English Program Services, TVOntario(1988-2000).

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Members of the Ontario Film Review Board

Member	Municipality	First Appointed (current position)	Current Term Expires/Expired
Poonamdeep Bhinder	Brampton	July 15, 2009	July 14, 2014
Joe Bognar	Thunder Bay	November 29, 2010	November 28,2014
Tina Bragagnolo	*Toronto*	*May 28, 2003*	*Withdrew as member May 27, 2013*
Pat Brown	Brantford	July 15, 2005	July 14, 2015
David Dossett	Kingston	January 9, 2013	Withdrew as member January 8, 2014
Donald Duprey	Toronto	November 14, 2006	November 13, 2016
Lorraine Dupuis	Sudbury	April 11, 2006	April 10, 2014
Cathy Ferlisi	Concord	October 25, 2006	October 24, 2016
Joanne Jackson	Ajax	Aug 21, 2008	August 20, 2018
Adam Garnet Jones	Toronto	October 22, 2009	October 21, 2014
Fred Kushnir	Windsor	November 29, 2010	November 28, 2014
Kristina Laukkanen	Toronto	October 25, 2006	October 24, 2016
Lindsay Lesse	Toronto	November 29, 2010	November 28, 2014
John Mastroianni	Welland	July 15 , 2009	July 14, 2014
Walter (Bud) Polhill	London	May 4, 2011	Withdrew as member May 3, 2013
Sue Rainville	Toronto	June 1, 2006	Withdrew as member May 31, 2013
Janet Robinson	Toronto	October 15, 2004	Withdrew as member July 14, 2013

Member	Municipality	First Appointed (current position)	Current Term Expires/Expired
Peter Smith	Pickering	January 9, 2013	January 22, 2017
Andrew Stewart	Toronto	January 9, 2013	January 22, 2017
Trudie Villeneuve	Toronto	January 5, 2006	January 4, 2016
Peter Watts	Burlington	August 21, 2008	August 20, 2018